IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

WEDNESDAY, THE 17TH OCTOBER 2007 / 25TH ASWINA 1929

WP(C).No. 12234 of 2005(F)

PETITIONER:

P.V.BABU PRASAD, S/O.J. PONNU PILLAI, AG ED 27, RESIDING AT BABU SADANAM, KODAVILAKOM, PARASSALA P.O. THIRUVANANTHAPURAM.

BY ADV. SRI.R.S.KALKURA

RESPONDENTS:
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1. STATE OF KERALA, REPRESENTED BY THE SECRETARY, CO-OPERATIVE DEPARTMENT. GOVERNMENT OF KERALA, SECRETARIAT, THIRUVANANTHAPURAM.

2. THE DISTRICT CO-OEPRATIVE BANK, TRIVANDRUM, REPRESENTED BY ITS PRESIDENT.

3. THE GENERAL MANAGER, THE DISTRICT CO-OEPRATIVE BANK, THIRUVANANTHAPURAM.

4. THE REGIONAL TRANSPORT OFFICER, PARASSALA.

5. THE REGISTRAR, CO-OPERATIVE SOCIETIES, O/O.THE REGISTRAR, CO-OEPRATIVE SOCIETIES, TRIVANDRUM.

BY ADV. SRI.V.G.ARUN
SRI.T.R.HARIKUMAR
GOVT. PLEADER SRI.P.K.RAVIKRISHNAN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 17/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1(A) TRUE COPY OF THE PASS BOOK RELATING TO THE LOAN ISSUED BY R2.

EXT.P1(B) TRUE COPY OF THE PASS BOOK RELATING TO THE LOAN ISSUED BY THE SECOND RESPONDENT.

EXT.P2 TRUE COPY OF THE PERMIT OF THE VEHICLE BEARING NO.KL-01/R-9522

EXT.P3 TRUE COPY OF THE STATEMENT OF REMITTANCES.

EXT.P4 TRUE COPY OF THE REPRESENTATION DTD. 1-2-04 SUBMITTED BY THE PETITIONER BEFORE THE SECOND RESPONDENT.

EXT.P5 TRUE COPY OF THE REPRESENTATION DTD. 10-2-04

EXT.P6 TRUE COPY OF THE REPRESENTATION DTD. 21-2-04

EXT.P7(A) TRUE COPY OF THE POSTAL ACKNOWLEDGMENT INDICATING RECEIPT OF EXT.P5

EXT.P7(B) TRUE COPY OF THE POSTAL ACKNOWLEDGMENT INDICATING RECEIPT OF EXT.P6

EXT.P8 TRUE COPY OF THE REPLY DTD. 7-4-04 ISSUED BY THE 5TH RESPONDENT.

EXT.P9 TRUE COPY OF THE REPLY ISSUED BY THE JOINT REGISTRAR (GENERAL), CO-OPERATIVE SOCIETIES.

EXT.P10 TRUE COPY OF THE REPLY DD. 23-06-04 ISSUED BY THE ASST. REGISTRAR (GENERAL) TO THE PETITIONER.

EXT.P11 TRUE COPY OF THE LETTER DTD. 18-2-05

EXT.P12 TRUE COPY OF THE REPRESENTATION DTD. 2-4-05

EXT.P13 TRUE COPY OF THE REPRESENTATION DTD. 5-4-05

EXT.P14 TRUE COPY OF THE REPRESENTATION DTD. 12-4-05 SUBMITTED BEFORE THE 3RD RESPONDENT.

EXT.P15 TRUE COPY OF THE REPRESENTATION DD. 12-4-05 SUBMITTED BEFORE THE MANAGER, DISTRICT CO-OPERATIVE BANK, PARASSALA

EXT.P16 TRUE COPY OF THE POSTAL RECEIPT SHOWING SERVICE OF REPRESENTATIONS.

EXT.P17 TRUE COPY OF THE ACKNOWLEDGMENT CARD SHOWING RECEIPT OF THE LETTER BY THE THIRD RESPONDENT.

/True Copy/

PA to Judge.

K.M.JOSEPH, J.

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W.P.(c).No.12234 OF 2005

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Dated this the 17th day of October, 2007

JUDGMENT

Petitioner availed a loan. It is not repaid. The prayer in the writ petition is for a direction to the second respondent to consider the petitioner's representations for one time settlement i.e. Exts.P4, P5 and P6 intimating the petitioner of the amount to be paid by the petitioner under one time settlement scheme in instalments. Further prayer is for a direction to the second respondent to grant consent as required under law for renewing the permit of the petitioner's vehicle.

2. Learned counsel for the respondent-Bank submits that the Bank had considered the petitioner's application and granted the benefit under OTS and intimated the petitioner in 2005. But the petitioner did not remit the amount. He further submits that Bank is even now prepared to allow the petitioner to pay the amount under the present scheme (Circular No.30/2007).

In such circumstances, the writ petition is disposed of as follows:

The second respondent will intimate the amount to be paid by the petitioner under Circular No.30/2007 within a period of two weeks from today. Upon receipt of the intimation from the second respondent, petitioner is granted time till 31/12/2007 to effect the payment.

(K.M.JOSEPH, JUDGE)

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